

IN THE DISTRICT COURT OF RIO ARRIBA COUNTY
STATE OF NEW MEXICO

STATE OF NEW MEXICO on the
relation of S. E. REYNOLDS,
State Engineer,

Plaintiff,

vs.

ROMAN ARAGON, et al.,

Defendants.

No. 8294

Sub-File No. 252

Acequia de Chama

ORDER

THIS MATTER having come before the Court and after
having heard the testimony, considered the evidence, and
being fully advised in the premises, now finds:

1. Name of defendant: CASIMERO MASCARENAS
2. Defendant has not been legally served with process, has not filed an answer, certificates of non-appearance and default have been filed, and the defendant is adjudged to be in default.
3. The Court has jurisdiction of the parties and the subject matter herein.
4. State Engineer's hydrographic survey and report relating to the defendant's water rights have been introduced into the record and the same hereby are incorporated and made a part of this Order; that said hydrographic survey and report contain a true and correct summary of the contents of the instruments referred to therein.

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5. The defendant CASIMERO MASCARENAS
has a right to withdraw public, surface and/or
underground waters from the Rio Chama Stream
System for irrigation purposes as follows:

State Engineer's File No. --
Priority: 1724

Source of water: Surface waters of the Rio Chama
Point of diversion: Through and by means of the
Aquia de Chamita (also known as Guique Ditch) which
diverts out of the north bank of the Rio Chama, located
in the northwest part of the Bartolome Sanchez Grant,
New Mexico Coordinate System, Central Zone:
X = 536,680 and Y = 1,850,010, Rio Arriba County, New
Mexico.

Location & Amount of Acreage: 8.94 acres irrigated.
2.28 acres in part of P.C. 261, P. 1, Exception 1.
1.51 acres in part of P.C. 172, P. 3, Exception 1.
3.86 acres in part of P.C. 259, P. 1, Exception 1.
1.29 acres in Rio Chama Bed, as shown on G.L.O. Plat 16 AAA
survey of 1915
All in Sections 8 & 9, T. 21 N., R. 8 E., within the San
Juan Pueblo Grant, Rio Arriba County, New Mexico.

Duty of water: Not to exceed three acre feet
per acre per annum delivered at the
farm head gate.

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The defendant Casimero Maccarenas
has no other surface/ground water irrigation rights
in the aforesaid sections.

That the defendant Casimero Maccarenas
his agents, employees, privies, co-tenants, tenants,
assigns, attorneys, and any and all other persons having
a constructive knowledge of the restraining Order should
be enjoined from any use of the surface/ground water
in the aforesaid sections

for irrigation, except in strict accordance with the
water rights set out hereinabove.

IT IS, THEREFORE, ORDERED that the defendant,
Casimero Maccarenas

be and hereby is adjudicated to have a good and valid water right as
set forth above.

IT IS FURTHER ORDERED that the defendant,
Casimero Maccarenas

his agents, employees, privies, co-tenants, tenants, assigns,
attorneys, and any and all other persons having constructive knowledge
of the restraining order, be and they hereby are, enjoined from any
use of the surface/ground water in
the aforesaid sections

except in strict accordance with the water rights set out hereinabove.

DATED, this 15 day of April, 1963.

A TRUE COPY OF
ORIGINAL Under seal on file
ENTERED April 15 1963

SUSIE M. MONTOYA

CLERK

By A. H. Montoya - Deputy

J. M. SCARBOROUGH
DISTRICT JUDGE

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